



UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

January 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

EARL SHAMBURGER,
aka "Folsom,"

Defendant.

CR 2:23-cr-00327-PA

I N D I C T M E N T

[18 U.S.C. § 922(a)(1)(A):
Engaging in the Business of
Dealing in Firearms Without a
License; 18 U.S.C. § 922(k):
Possession of Firearms With a
Removed and Obliterated Serial
Number; 18 U.S.C. § 922(g)(1):
Felon in Possession of Firearms
and Ammunition; 28 U.S.C.
§ 2461(c): Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 922(a)(1)(A)]

Beginning on a date unknown but no later than on or about March 13, 2023, and continuing to on or about May 31, 2023, in Los Angeles County, within the Central District of California, and elsewhere, defendant EARL SHAMBURGER, also known as "Folsom," not being a licensed importer, manufacturer, or dealer of firearms, willfully engaged in the business of dealing in firearms, specifically, the sales of the following firearms, on or about the following dates:

DATE	FIREARM(S)
March 13, 2023	(1) a Glock, model 26, 9mm caliber pistol, bearing serial number BVYC271; and (2) a Glock, model 43, 9mm caliber pistol, bearing serial number BZDP674.
March 17, 2023	(1) a Glock, model 43, 9mm caliber pistol, bearing serial number ADVD728; and (2) a Mossberg, model MC1 SC, 9mm caliber pistol, bearing serial number 029096CP.
March 20, 2023	(1) a Sig Sauer, model P226 Elite, .40 caliber pistol, bearing serial number 47A-056423; (2) a Taurus, model G2C, 9mm caliber pistol, bearing serial number TLR57514; and (3) a Taurus, international model PT738 TCP, .380 caliber pistol, bearing serial number 10201B.
April 11, 2023	(1) a Kahr Arms, model CW45, .45 caliber pistol, bearing serial number SF4997.
April 14, 2023	(1) a Springfield Armory, model XD-45ACP, .45 caliber pistol, bearing serial number XD671862.
April 24, 2023	(1) a privately manufactured, Polymer80, model PF940C, .40 caliber pistol, bearing no serial number; and (2) a privately manufactured, Polymer80, model PF9SS, 9mm caliber pistol, bearing no serial number.
May 31, 2023	(1) a Taurus, model G2C, .40 caliber pistol, bearing a removed serial number; (2) a Taurus, model G2C, .40 caliber pistol, bearing a removed serial number; and (3) a Taurus, model G2C, .40 caliber pistol, bearing a removed serial number.

COUNT TWO

[18 U.S.C. § 922(k)]

On or about May 31, 2023, in Los Angeles County, within the Central District of California, defendant EARL SHAMBURGER, also known as "Folsom," knowingly possessed firearms, namely, a Taurus, model G2C, .40 caliber pistol, with a removed and obliterated serial number, a Taurus, model G2C, .40 caliber pistol, with a removed and obliterated serial number, and a Taurus, model G2C, .40 caliber pistol, with a removed and obliterated serial number, that had been shipped and transported in interstate or foreign commerce, and from which defendant SHAMBURGER knew that the manufacturer's serial number had been removed, obliterated, and altered.

COUNTS THREE THROUGH NINE

[18 U.S.C. § 922(g) (1)]

On or about the following dates, in Los Angeles County, within the Central District of California, defendant EARL SHAMBURGER, also known as "Folsom," knowingly possessed the following firearms and ammunition, each in and affecting interstate and foreign commerce:

COUNT	DATE	FIREARM(S) AND AMMUNITION
THREE	March 13, 2023	(1) a Glock, model 26, 9mm caliber pistol, bearing serial number BVYC271; and (2) a Glock, model 43, 9mm caliber pistol, bearing serial number BZdP674.
FOUR	March 17, 2023	(1) a Glock, model 43, 9mm caliber pistol, bearing serial number ADVD728; and (2) a Mossberg, model MC1 SC, 9mm caliber pistol, bearing serial number 029096CP.
FIVE	March 20, 2023	(1) a Sig Sauer, model P226 Elite, .40 caliber pistol, bearing serial number 47A-056423; (2) a Taurus, model G2C, 9mm caliber pistol, bearing serial number TLR57514; (3) a Taurus, international model PT738 TCP, .380 caliber pistol, bearing serial number 10201B; (4) approximately ten rounds of Winchester Ammunition .40 caliber ammunition; (5) approximately one round of Sig Sauer .40 caliber ammunition; and (6) approximately 11 rounds of Federal Cartridge Company 9mm caliber ammunition.
SIX	April 11, 2023	(1) a Kahr Arms, model CW45, .45 caliber pistol, bearing serial number SF4997; and (2) approximately 45 rounds of CCI/Speer or Federal Cartridge Company .45 caliber ammunition.

COUNT	DATE	FIREARM(S) AND AMMUNITION
SEVEN	April 14, 2023	(1) a Springfield Armory, model XD-45ACP, .45 caliber pistol, bearing serial number XD671862; and (2) approximately 26 rounds of CCI/Speer or Federal Cartridge Company .45 caliber ammunition.
EIGHT	May 31, 2023	(1) a Taurus, model G2C, .40 caliber pistol, bearing a removed serial number; (2) a Taurus, model G2C, .40 caliber pistol, bearing a removed serial number; and (3) a Taurus, model G2C, .40 caliber pistol, bearing a removed serial number.
NINE	June 14, 2023	(1) approximately 30 rounds of CCI/Speer or Federal Cartridge Company .45 caliber ammunition; (2) approximately seven rounds of Fiocchi .45 caliber ammunition; (3) approximately 19 rounds of Hornady .45 caliber ammunition; (4) approximately 50 rounds of Sig Sauer .40 caliber ammunition; (5) approximately 205 rounds of CCI/Speer or Federal Cartridge Company .22 caliber ammunition; and (6) approximately nine rounds of Hornady .40 caliber ammunition.

Defendant SHAMBURGER possessed such firearms and ammunition knowing that he had previously been convicted of at least one of the following felony crimes, each punishable by a term of imprisonment exceeding one year:

1. Possession of Narcotics for Sale, in violation of California Health and Safety Code Section 11351, in the Superior Court for the State of California, County of Los Angeles, Case Number A566236, on or about May 21, 1984;

1 2. Vehicle Theft, in violation of California Vehicle Code
2 Section 10851(a), and Receiving Known Stolen Property California, in
3 violation of California Penal Code Section 496.1, in the Superior
4 Court for the State of California, County of Los Angeles, Case Number
5 YA011783, on or about May 26, 1992;

6 3. Grand Theft Auto, in violation of California Penal Code
7 Section 487(d)(1), in the Superior Court for the State of California,
8 County of Los Angeles, Case Number TA11987101, on or about May 18,
9 2009; and

10 4. Evading a Peace Officer, in violation of California Vehicle
11 Code Section 2800.2(a), and Carrying Concealed Dirk or Dagger, in
12 violation of California Penal Code Section 12020(A)(4), in the
13 Superior Court for the State of California, County of Los Angeles,
14 Case Number GA08372201, on or about July 9, 2011.

FORFEITURE ALLEGATION

[18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c)]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), in the event of the defendant's conviction of the offenses set forth in any of Counts One through Nine of this Indictment.

2. Defendant, if so convicted, shall forfeit to the United States of America the following:

a. All right, title, and interest in any firearm or ammunition involved in or used in any such offense; and

b. To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraph (a).

3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), the convicted defendant shall forfeit substitute property, up to the value of the property described in the preceding paragraph if, as the result of any act or omission of said defendant, the property described in the preceding paragraph or any portion thereof (a) cannot be located upon the exercise of due diligence; (b) has been transferred, sold to, or deposited with a third party; (c) has been

//

//

1 placed beyond the jurisdiction of the court; (d) has been
2 substantially diminished in value; or (e) has been commingled with
3 other property that cannot be divided without difficulty.

4 A TRUE BILL

5
6 /S/
7 _____
Foreperson

8 E. MARTIN ESTRADA
9 United States Attorney

10 MACK E. JENKINS
11 Assistant United States Attorney
12 Chief, Criminal Division



13 SCOTT M. GARRINGER
14 Assistant United States Attorney
15 Deputy Chief, Criminal Division

16 IAN V. YANNIELLO
17 Assistant United States Attorney
18 Deputy Chief, General Crimes
19 Section

20 SURIA M. BAHADUE
21 Assistant United States Attorney
22 Criminal Appeals Section
23
24
25
26
27
28